



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Brian Calhoun
Brad Castillo, Acting President
Mike Dages

Jerry Duncan
Henry T. Perea
Cynthia Sterling

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

TUESDAY, MAY 13, 2003

If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (www.ci.fresno.ca.us) The Council meeting can also be heard live at the same web site address.

8:30 A.M. ROLL CALL

Invocation by Chaplain Harold Burney

Pledge of Allegiance to the Flag

Proclamation of "FUEL CELL VEHICLE DAY - Mayor Autry and All Councilmembers

Proclamation of "BIKE WEEK" - Mayor Alan Autry and Councilmember Calhoun

Resolution of Commendation to California Fresno State University Womens' Basketball Team and Coach - Acting President Castillo

Proclamation of "VETERANS APPRECIATION MONTH" - Councilmember Dages

Presentation of Student Recognition Certificates to Student in District 4 - Acting President Castillo

Presentation of Student Recognition Certificates to Student in District 7 - Councilmember Perea

Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Approve minutes of May 6, 2003

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

Approve Contested Consent Items

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

10:00 A.M. Report on Operation Clean Air - Mayor's Office

Action Taken:

- a. Brief presentation by staff followed by Council discussion and direction regarding the 2% Emission Reduction Recommendation Report - Councilmember Calhoun

Action Taken:

NOON - 2:00 P.M. RECESS

1. GENERAL CONSENT CALENDAR

(All consent calendar items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered immediately following.

- A. Award a requirements contract to Kemiron Companies, Inc. of Lawrence, KS for ferric chloride - General Services /Dept. of Public Utilities

Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- B. Award a requirements contract to Vulcan Constructions and Maintenance, Inc. for polybutylene service replacement - General Services Dept./ Dept. Of Public Utilities
Action Taken:
- C. Approve the purchase of a new City water well site for Pump Station No. 4b at McKinley Avenue and Freeway 41- Public Works Dept.
Action Taken:
- D. **RESOLUTION** - Of Intention to annex Final Tract No. 4993 to the City of Fresno Community Facilities District No. 2, Annexation No. 51 and to authorize the levy of special taxes - Public Works Dept.
Action Taken:
- E. **RESOLUTION** - Ordering the summary vacation of a portion of Sierra Avenue west of Jeanne Avenue - Public Works Dept.
Action Taken:
- F. **RESOLUTION** - Continuing Resolution No. 2003-116 proclaiming a local emergency relating to the fire at Archie Crippen Excavation in the vicinity of Marks and Nielsen Avenues - City Manager's Office
Action Taken:
- G. **RESOLUTION** - To repeal previously adopted Annexation No. 44 actions including Resolution Nos. 2003-50, 2003-79, 2003-80, 2003-81 and Bill No. B-22/Ordinance No. 2003-21; and of intention to annex Tract No. 5071 as Annexation No. 44 to the City of Fresno Community Facilities District No. 2 and to authorize the levy of special taxes - Public Works Dept.
Action Taken:
- H. * **RESOLUTION** - 83rd amendment to AAR No. 2002-216 appropriating \$17,000 for the purpose of funding the reimbursement to the State of California for unemployment benefits (Requires 5 affirmative votes) - Personnel Services Dept.
Action Taken:
- I. Award three (3) requirements contracts for digital copiers: - General Services Dept.
Section I to Image 2000 of Fresno
Section II & III to California Business Machines of Fresno
Section IV to Ikon Office Solutions of Fresno
Action Taken:
- J. * **RESOLUTION** - 14th amendment to PAR No. 2002-217 adding two (2) Police Cadet positions, deleting one (1) Programmer/Analyst position, and converting two (2) permanent part-time D.A.R.E. Instructors to wages hours - Police Department
Action Taken:

2. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

3.

GENERAL ADMINISTRATION

- A. Designation of City voting delegate for League of California Cities special meeting of the General Assembly on May 15, 2003 - City Manager's Office

Action Taken:

4.

CITY COUNCIL

- A. Direct staff to return by June 17, 2003, with a full report to the City Council explaining the impact on the City of the expiration of Measure C in 2006. Report should contain, but not be limited to, information of the impact to public transportation, neighborhood infrastructure and major road repairs - Councilmember Duncan

Action Taken:

- B. Update from staff on status of Bicycle/Pedestrian Advisory Committee established October, 2002 - Councilmember Duncan

Action Taken:

- C. Request joint meeting with the Madera County Board of Supervisors to be re-scheduled - Council President Boyajian

Action Taken:

5.

CLOSED SESSION AND (IF ANY) ANNOUNCEMENTS

- A. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, subdivision (b)

1. **Significant Exposure to Litigation:** Claim of Jennifer Anne Manson; and Claim of Sidney Lauren Nguyen (a minor) by and through Jennifer Anne Manson, her guardian ad litem

Action Taken:

- B. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**, Government Code Section 54956.9(a)

1. **Case Name:** Soltek Pacific v. City of Fresno, et al; Mauldin Dorfmeier Construction, Inc., San Joaquin Taxpayers Assn. V. City of Fresno & Mauldin Dorfmeier Construction, Inc.

Action Taken:

6. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

7. **PUBLIC COMMENT PERIOD**

- A. Scheduled communication
1. No request received for this meeting.
- B. Unscheduled communication - You may address the City Council regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- May 20 - 9:30 A.M. Presentation and discussion of the Reason Foundation and Performance Institute's "Citizen Budget" aimed at improving the performance of government - Councilmembers Calhoun and Duncan
- May 20 - 10:00 A.M. **HEARING** re: Rezoning Appl. No. R-02-57, filed by Robert Wood
- May 20 - 10:15 A.M. **HEARING** re: Rezone Appl. No. R-03-09, filed by Lawrence Partners
- May 20 - 10:20 A.M. **HEARING** re: Rezone Appl. No. R-03-004, filed by Alan D. Pirie
- May 20 - 10:30 A.M. **HEARING** pertaining to two drainage fee resolutions relating the Fresno Metropolitan Flood Control District (FMFCD)
- May 27 - NO MEETING - MEMORIAL DAY
- June 3 - 8:30 A.M. **JOINT MEETING** with Madera County Board of Supervisors
- June 3 - 2:30 P.M. **HEARING** re: CFD No. 2, Annexation No. 48, Tract No, 4701
- June 3 - 2:40 P.M. **HEARING** re: CFD No. 2, Annexation No. 50, Tract No, 5123
- June 10 - 10:00 A.M. **HEARING** re: Plan Amendment No. A-01-13, Rezone Application No. 02-16, filed by Krazan & Associates on behalf of Margaret Jensen
- June 10 - 10:10 A.M. **HEARING** re: Plan Amendment No. A-01-14, Rezone Appl. No. R-01-17, filed by Krazan & Associates
- June 17- 10:00 A.M. **HEARING** re: Community Facilities District No. 2, Annexation No. 51, Tract No. 4993
- June 17- 10:10 A.M. **HEARING** re: Community Facilities District No. 2, Annexation No. 44, Tract No. 5071
- June 24- 10:00 A.M. **HEARING** re: Community Facilities District No. 2 - change of services for Tract No. 5099 of Annexation No. 44